



General Assembly

**Substitute Bill No. 5146**

February Session, 2010

\* \_\_\_\_HB05146JUD\_\_040810\_\_ \*

**AN ACT CONCERNING VISITATION OF CHILDREN COMMITTED TO  
THE DEPARTMENT OF CHILDREN AND FAMILIES.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (p) of section 46b-129 of the 2010 supplement  
2 to the general statutes is repealed and the following is substituted in  
3 lieu thereof (*Effective October 1, 2010*):

4 (p) (1) Upon motion of any [sibling] person related to the child or  
5 youth by blood, marriage or adoption, including, but not limited to, a  
6 sibling, the court shall consider visitation with, and placement of any  
7 child or youth committed to the Department of Children and Families  
8 pursuant to this section. [ , such sibling] Such person shall have the  
9 right to be heard concerning visitation with, and placement of, any  
10 such child or youth. In awarding any visitation or modifying any  
11 placement, the court shall be guided by the best interests of all related  
12 persons, including, but not limited to, siblings, affected by such  
13 determination.

14 (2) In awarding visitation, the court shall specify all conditions of  
15 visitation, including, but not limited to: (A) Persons who may visit; (B)  
16 times, including frequency and duration, and locations of visits; (C)  
17 activities that are permissible and impermissible during visits; and (D)  
18 actions that will result in automatic suspension of visitation.

19       (3) If the Department of Children and Families has reason to believe  
 20       that visitation pursuant to the court's award is likely to result in harm  
 21       to the child, youth or another person, the department (A) may cancel a  
 22       visit or indefinitely suspend visitation of the child or youth; (B) shall  
 23       notify the child's or youth's attorney, the child's or youth's guardian ad  
 24       litem, the child's parent or guardian or, if the parent or guardian is  
 25       represented by an attorney, the attorney for the child's parent or  
 26       guardian, of the cancellation or indefinite suspension; and (C) shall,  
 27       not later than the next business day after the first canceled visit,  
 28       request an emergency hearing before the court to amend the award of  
 29       visitation, except the department shall not be required to file such  
 30       request for an emergency hearing if all persons notified pursuant to  
 31       subparagraph (B) of this subdivision agree that cancellation of the visit  
 32       or indefinite suspension of visitation is justified.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2010	46b-129(p)
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**HS**       *Joint Favorable Subst.*

**JUD**       *Joint Favorable*